UNITED NATIONS

GENERAL ASSEMBLY

Distr.
GENERAL

A/CN.9/416
2 May 1995

ORIGINAL: ENGLISH

UNITED NATIONS COMMISSION ON
INTERNATIONAL TRADE LAW
Twenty-eighth session
Vienna, 2 - 26 May 1995

STATUS OF CONVENTIONS

Note by the Secretariat

1. At its thirteenth session the Commission decided that it would consider, at each of its sessions, the status of conventions that were the outcome of work carried out by it (A/35/17, para. 163).

2. The present note sets forth the status of the conventions and model laws emanating from the work of the Commission. It also shows the status of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958), which was adopted prior to the establishment of the Commission, because the Convention is closely related to the work of the Commission in the area of international commercial arbitration.

3. The note indicates the changes since 25 May 1994, when the most recent report in this series (A/CN.9/401) was issued. The names of States in the annexed list that have adhered to a convention or enacted legislation based on a model law since the preparation of the last report are underlined.

4. The following texts are covered in the note: Convention on the Limitation Period in the International Sale of Goods (New York, 1974) (new States parties: Cuba; number of States parties: eighteen); Protocol amending the Limitation Convention (Vienna, 1980) (new States parties: Cuba); United Nations Convention on the Carriage of Goods by Sea, 1978 ("Hamburg Rules") (number of States parties: twenty-two); United Nations Convention on Contracts for the International Sale of Goods (Vienna, 1980) (new States parties: Cuba, Georgia, Lithuania, Moldova, New Zealand, Singapore; number of States parties: forty-four); United Nations Convention on International Bills of Exchange and International Promissory Notes (New York, 1988) (the Convention has two States parties; it requires eight more adherences for entry into force); United Nations Convention on the Liability of Operators of Transport Terminals in International Trade (Vienna, 1991) (the Convention has been signed by five States; five adherences to the Convention are necessary for the Convention to enter into force); UNCITRAL Model Law on International Commercial Arbitration, 1985 (new jurisdictions that have enacted legislation based on the Model Law: Bahrain, Hungary, Singapore, Ukraine; total number of the jurisdictions with such legislation: thirty-one); Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958) (new States parties: Bolivia, Georgia, Lithuania, Mali, Mongolia, Portugal, Senegal, Venezuela, Zimbabwe; total number of States parties: one hundred and five).

V.95-53561

1. Convention on the Limitation Period in the International Sale of Goods (New York, 1974) ±/

State a/	Signature	Ratification Accession Approval Succession (*)	Entry into force
Argentina		9 October 1981	1 August 1988
Brazil	14 June 1974		
Bulgaria	24 February 1975		
Belarus	14 June 1974		
Bosnia and Herzegovina		12 January 1994 *	6 March 1992
Costa Rica	30 August 1974		
Cuba		2 November 1994	1 June 1995
Czech Republic b/		30 September 1993*	1 January 1993
Dominican Republic		23 December 1977	1 August 1988
Egypt		6 December 1982	1 August 1988
Ghana	5 December 1974	7 October 1975	1 August 1988
Guinea		23 January 1991	1 August 1991
Hungary	14 June 1974	16 June 1983	1 August 1988
Mexico		21 January 1988	1 August 1988
Mongolia	14 June 1974		
Nicaragua	13 May 1975		
Norway 1/	11 December 1975	20 March 1980	1 August 1988
Poland	14 June 1974		
Romania		23 April 1992	1 November 1992
Russian Federation c/	14 June 1974		
Slovak Republic b/		28 May 1993 *	1 January 1993
Uganda		12 February 1992	1 September 1992
Ukraine	14 June 1974	13 September 1993	1 April 1994
United States of America		5 May 1994	1 December 1994
Yugoslavia		27 November 1978	1 August 1988
Zambia		6 June 1986	1 August 1988

Signatures only: 8; ratifications, accessions and successions: 18

±/ The Convention was concluded in authentic Chinese, English, French, Russian and Spanish texts. On 11 August 1992, the Secretary-General, in accordance with a request of the United Nations Commission on International Trade Law, circulated a proposal for the adoption of an authentic Arabic text of the Convention. No objections having been raised, the Arabic text was deemed adopted on 9 November 1992 with the same status as that of the other authentic texts referred to in the Convention.

a/ The Convention had been signed by the former German Democratic Republic on 14 June 1974, ratified by it on 31 August 1989, with entry into force on 1 March 1990.

b/ The Convention was signed by the former Czechoslovakia on 29 August 1975 and an instrument of ratification was deposited on 26 May 1977, with the Convention entering into force for the former Czechoslovakia on 1 August 1988. On 28 May 1993 the Slovak Republic, and on 30 September 1993 the Czech Republic, deposited instruments of succession with effect from 1 January 1993, the date of succession of States.

c/ The Russian Federation continues, as from 24 December 1991, the membership of the former Union of Soviet Socialist Republics (USSR) in the United Nations and maintains, as from that date, full responsibility for all the rights and obligations of the USSR under the Charter of the United Nations and multilateral treaties deposited with the Secretary-General.

Declarations and reservations

1/ Upon signature, Norway declared, and upon ratification confirmed, that in accordance with article 34 the Convention would not govern contracts of sale where the seller and the buyer both had their relevant places of business within the territories of the Nordic States (i.e. Norway, Denmark, Finland, Iceland and Sweden).

2. Protocol amending the Convention on the Limitation Period in the International Sale of Goods (Vienna, 1980)

State a/	Accession Succession (*)	Entry into force
Argentina	19 July 1983	1 August 1988
Cuba	2 November 1994	1 June 1995
Czech Republic b/	30 September 1993*	1 January 1993
Egypt	6 December 1982	1 August 1988
Guinea	23 January 1991	1 August 1991
Hungary	16 June 1983	1 August 1988
Mexico	21 January 1988	1 August 1988
Romania	23 April 1992	1 November 1992
Slovak Republic b/	28 May 1993*	1 January 1993
Uganda	12 February 1992	1 September 1992
United States of America 1/	5 May 1994	1 December 1994
Zambia	6 June 1986	1 August 1988

In accordance with articles XI and XIV of the Protocol, the Contracting States to the Protocol are considered to be Contracting Parties to the Convention on the Limitation Period in the International Sale of Goods as amended by the Protocol in relation to one another and Contracting Parties to the Convention, unamended, in relation to any Contracting Party to the Convention not yet a Contracting Party to this Protocol.

a/ The Protocol was acceded to by the former German Democratic Republic on 31 August 1989, with entry into force on 1 March 1990.

b/ The Protocol was acceded to by the former Czechoslovakia on 5 March 1990, with effect from 10 October 1990. 1/ On 28 May 1993 the Slovak Republic, and on 30 September 1993 the Czech Republic, deposited instruments of succession, with effect from 1 January 1993, the date of succession of States.

Declarations and reservations

1/ Upon accession, Czechoslovakia and the United States of America declared that, pursuant to Article XII, it did not consider itself bound by Article I.

3. United Nations Convention on the Carriage of Goods by Sea, 1978 (Hamburg)

State	Signature	Ratification Accession	Entry into force
Austria	30 April 1979	29 July 1993	1 August 1994
Barbados		2 February 1981	1 November 1992
Botswana		16 February 1988	1 November 1992
Brazil	31 March 1978		
Burkina Faso		14 August 1989	1 November 1992
Cameroon		21 October 1993	1 November 1994
Chile	31 March 1978	9 July 1982	1 November 1992
Denmark	18 April 1979		
Ecuador	31 March 1978		
Egypt	31 March 1978	23 April 1979	1 November 1992
Finland	18 April 1979		
France	18 April 1979		
Germany	31 March 1978		
Ghana	31 March 1978		
Guinea		23 January 1991	1 November 1992
Holy See	31 March 1978		
Hungary	23 April 1979	5 July 1984	1 November 1992
Kenya		31 July 1989	1 November 1992
Lebanon		4 April 1983	1 November 1992
Lesotho		26 October 1989	1 November 1992
Madagascar	31 March 1978		
Malawi		18 March 1991	1 November 1992
Mexico	31 March 1978		
Morocco		12 June 1981	1 November 1992
Nigeria		7 November 1988	1 November 1992
Norway	18 April 1979		
Pakistan	8 March 1979		
Panama	31 March 1978		
Philippines	14 June 1978		
Portugal	31 March 1978		

State	Signature	Ratification Accession	Entry into force
Romania		7 January 1982	1 November 1992
Senegal	31 March 1978	17 March 1986	1 November 1992
Slovak Republic a/	28 May 1993		
Sierra Leone	15 August 1978	7 October 1988	1 November 1992
Singapore	31 March 1978		
Sweden	18 April 1979		
Tunisia		15 September 1980	1 November 1992
Uganda		6 July 1979	1 November 1992
United Rep. of Tanzania		24 July 1979	1 November 1992
United States of America	30 April 1979		
Venezuela	31 March 1978		
Zaire	19 April 1979		
Zambia		7 October 1991	1 November 1992

Signatures only: 21; ratifications and accessions: 22

a/ The Convention was signed by the former Czechoslovakia on 6 March 1979. 1/ On 28 May 1993, the Slovak Republic deposited an instrument of succession to the signature.

Declarations and reservations

1/ Upon signature, the former Czechoslovakia declared in accordance with article 26 a formula for converting the amounts of liability referred to in paragraph 2 of that article into the Czechoslovak currency and the amount of the limits of liability to be applied in the territory of Czechoslovakia as expressed in the Czechoslovak currency.

4. United Nations Convention on Contracts for the International Sale of Goods (Vienna, 1980)

State	Signature	Ratification Accession Approval Acceptance Succession (*)	Entry into force
Argentina 1/		19 July 1983	1 January 1988
Australia		17 March 1988	1 April 1989
Austria	11 April 1980	29 December 1987	1 January 1989
Belarus 1/		9 October 1989	1 November 1990
Bosnia and Herzegovina		12 January 1994 *	6 March 1992
Bulgaria		9 July 1990	1 August 1991
Canada 2/		23 April 1991	1 May 1992
Chile 1/	11 April 1980	7 February 1990	1 March 1991
China 3/	30 September 1981	11 December 1986	1 January 1988
Cuba		2 November 1994	1 December 1995
Czech Republic a/		30 September 1993 *	1 January 1993
Denmark 4/	26 May 1981	14 February 1989	1 March 1990
Ecuador		27 January 1992	1 February 1993
Estonia 1/		20 September 1993	1 October 1994
Egypt		6 December 1982	1 January 1988
Finland 4/	26 May 1981	15 December 1987	1 January 1989
France	27 August 1981	6 August 1982	1 January 1988
Georgia		16 August 1994	1 September 1995
Germany b/ 5/	26 May 1981	21 December 1989	1 January 1991
Ghana	11 April 1980		
Guinea		23 January 1991	1 February 1992
Hungary 1/ 6/	11 April 1980	16 June 1983	1 January 1988
Iraq		5 March 1990	1 April 1991
Italy	30 September 1981	11 December 1986	1 January 1988
Lesotho	18 June 1981	18 June 1981	1 January 1988
Lithuania 1/		18 January 1995	1 February 1996
Moldova		13 October 1994	1 November 1995
Mexico		29 December 1987	1 January 1989
Netherlands	29 May 1981	13 December 1990	1 January 1992
New Zealand 8/		22 September 1994	1 October 1995
Norway 4/	26 May 1981	20 July 1988	1 August 1989
Poland	28 September 1981		
Romania		22 May 1991	1 June 1992
Russian Federation c/ 1/		16 August 1990	1 September 1991

State	Signature	Ratification Accession Approval Acceptance Succession (*)	Entry into force
Singapore 7/	11 April 1980	16 February 1995	1 March 1996
Slovak Republic a/		28 May 1993 *	1 January 1993
Slovenia		7 January 1994 *	25 June 1991
Spain		24 July 1990	1 August 1991
Sweden 4/	26 May 1981	15 December 1987	1 January 1989
Switzerland		21 February 1990	1 March 1991
Syrian Arab Republic		19 October 1982	1 January 1988
Uganda		12 February 1992	1 March 1993
Ukraine 1/		3 January 1990	1 February 1991
United States of America 7/	31 August 1981	11 December 1986	1 January 1988
Venezuela	28 September 1981		
Yugoslavia	11 April 1980	27 March 1985	1 January 1988
Zambia		6 June 1986	1 January 1988

Signatures only: 3; ratifications, accessions, approval, acceptance and successions: 44

a/ The Convention was signed by the former Czechoslovakia on 1 September 1981 and an instrument of ratification was deposited on 5 March 1990, with the Convention entering into force for the former Czechoslovakia on 1 April 1991. 7/ On 28 May 1993 the Slovak Republic, and on 30 September 1993 the Czech Republic, deposited instruments of succession, with effect from 1 January 1993, the date of succession of States.

b/ The Convention was signed by the former German Democratic Republic on 13 August 1981, ratified on 23 February 1989 and entered into force on 1 March 1990.

c/ The Russian Federation continues, as from 24 December 1991, the membership of the former Union of Soviet Socialist Republics (USSR) in the United Nations and maintains, as from that date, full responsibility for all the rights and obligations of the USSR under the Charter of the United Nations and multilateral treaties deposited with the Secretary-General.

Declarations and reservations

1/ Upon adherence, the Governments of Argentina, Belarus, Chile, Estonia, Hungary, Lithuania, Ukraine and USSR, in accordance with articles 12 and 96 of the Convention, declared that any provision of article 11, article 29 or Part II of the Convention that allows a contract of sale or its modification or termination by agreement or any offer, acceptance or other indication of intention to be made in any form other than in writing, would not apply where any party had his place of business in their respective States.

2/ Upon accession, the Government of Canada declared that, in accordance with article 93 of the Convention, the Convention will extend to Alberta, British Columbia, Manitoba, New Brunswick, Newfoundland, Nova Scotia, Ontario, Prince Edward Island and the Northwest Territories. Upon accession, the Government of Canada declared that, in accordance with article 95 of the Convention, with respect to British Columbia, it will not be bound by article 1(1)(b) of the Convention. In a notification received on 31 July, 1992, the Government of Canada withdrew that declaration. In a declaration received on 9 April 1992, the Government of Canada extended the application of the Convention to Quebec and Saskatchewan. In a notification received on 29 June 1992, Canada extended the application of the Convention to Yukon.

3/ Upon approval, the Government of China declared that it did not consider itself bound by sub-paragraph (b) of Paragraph 1 of Article 1 and Article 11 as well as the provisions in the Convention relating to the content of Article 11.

4/ Upon ratification, the Governments of Denmark, Finland, Norway and Sweden declared in accordance with article 92(1) that they would not be bound by Part II of the Convention (Formation of the Contract). Upon ratifying the Convention the Governments of Denmark, Finland, Norway and Sweden declared, pursuant to article 94(1) and 94(2), that the Convention would not apply to contracts of sale where the parties had their places of business in Denmark, Finland, Sweden, Iceland or Norway.

5/ Upon ratification, the Government of Germany declared that it would not apply article 1(1)(b) in respect of any State that had made a declaration that that State would not apply article 1(1)(b).

6/ Upon ratification, the Government of Hungary declared that it considered the General Conditions of Delivery of Goods between Organizations of the Member Countries of the Council for Mutual Economic Assistance to be subject to the provisions of article 90 of the Convention.

7/ Upon ratification, the Convention the Governments of Czechoslovakia, Singapore and the United States of America declared that they would not be bound by sub-paragraph (1)(b) of Article 1.

a/ Upon accession, the Government of New Zealand declared that the accession did not extend to the Cook Islands, Niue or Tokelau.

5. United Nations Convention on International Bills of Exchange and International Promissory Notes (New York, 1988)

State	Signature	Ratification Accession	Entry into force
Canada	7 December 1989		
Guinea		23 January 1991	
Mexico		11 September 1992	
Russian Federation a/	30 June 1990		
United States of America	29 June 1990		

Signatures only: 3; ratifications and accessions: 2
Ratifications and accessions necessary to bring the Convention into force: 10

a/ The Russian Federation continues, as from 24 December 1991, the membership of the former Union of Soviet Socialist Republics (USSR) in the United Nations and maintains, as from that date, full responsibility for all the rights and obligations of the USSR under the Charter of the United Nations and multilateral treaties deposited with the Secretary-General.

6. United Nations Convention on the Liability of Operators of Transport Terminals in International Trade (Vienna, 1991)

State	Signature	Ratification Accession	Entry into force
France	15 October 1991		
Mexico	19 April 1991		
Philippines	19 April 1991		
Spain	19 April 1991		
United States of America	30 April 1992		

Signatures only: 5
Ratifications and accessions necessary to bring the Convention into force: 5

7. UNCITRAL Model Law on International Commercial Arbitration (1985)

Legislation based on the UNCITRAL Model Law on International Commercial Arbitration has been enacted in Australia, Bahrain, Bermuda, Bulgaria, Canada (by the Federal Parliament and by the Legislatures of all Provinces and Territories), Cyprus, Egypt, Finland, Hong Kong, Hungary, Mexico, Nigeria, Peru, Russian Federation, Scotland, Singapore, Tunisia, Ukraine and, within the United States of America, California, Connecticut, Oregon and Texas.

8. Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958)

State	Signature	Ratification Accession Succession (*)
Algeria 1/ 2/		7 February 1989
Antigua and Barbuda 1/ 2/		2 February 1989
Argentina 1/ 2/ 7/	26 August 1958	14 March 1989
Australia		26 March 1975
Austria		2 May 1961
Bahrain 1/ 2/		6 April 1988
Bangladesh		6 May 1992
Barbados 2/		16 March 1993
Belarus 1/ 3/	29 December 1958	15 November 1960
Belgium 1/	10 June 1958	18 August 1975
Benin		16 May 1974
Bolivia		28 April 1995
Bosnia and Herzegovina 1/ 2/ 6/		6 March 1992 *

State	Signature	Ratification Accession Succession (*)
Botswana 1/ 2/		20 December 1971
Bulgaria 1/ 3/	17 December 1958	10 October 1961
Burkina Faso		23 March 1987
Cambodia		5 January 1960
Cameroon		19 February 1988
Canada 4/		12 May 1986
Central African Republic 1/ 2/		15 October 1962
Chile		4 September 1975
China 1/ 2/		22 January 1987
Colombia		25 September 1979
Costa Rica	10 June 1958	26 October 1987
Côte d'Ivoire		1 February 1991
Croatia 1/ 2/ 6/		26 July 1993 *
Cuba 1/ 2/ 3/		30 December 1974
Cyprus 1/ 2/		29 December 1980
Czech Republic a/		30 September 1993 *
Denmark 1/ 2/		22 December 1972
Djibouti		14 June 1983
Dominica		28 October 1988
Ecuador 1/ 2/	17 December 1958	3 January 1962
Egypt		9 March 1959
El Salvador	10 June 1958	
Estonia		30 August 1993
Finland	29 December 1958	19 January 1962
France 1/	25 November 1958	26 June 1959
Georgia		2 June 1994
Germany b/ 1/	10 June 1958	30 June 1961
Ghana		9 April 1968
Greece 1/ 2/		16 July 1962
Guatemala 1/ 2/		21 March 1984
Guinea		23 January 1991
Haiti		5 December 1983
Holy See 1/ 2/		14 May 1975
Hungary 1/ 2/		5 March 1962
India 1/ 2/	10 June 1958	13 July 1960
Indonesia 1/ 2/		7 October 1981
Ireland 1/		12 May 1981
Israel	10 June 1958	5 January 1959
Italy		31 January 1969
Japan 1/		20 June 1961
Jordan	10 June 1958	15 November 1979
Kenya 1/		10 February 1989
Kuwait 1/		28 April 1978
Latvia		14 April 1992
Lesotho		13 June 1989
Lithuania 3/		15 March 1995
Luxembourg 1/	11 November 1958	9 September 1983
Madagascar 1/ 2/		16 July 1962
Malaysia 1/ 2/		5 November 1985
Mali		8 September 1994
Mexico		14 April 1971
Monaco 1/ 2/	31 December 1958	2 June 1982
Mongolia 1/ 2/		24 October 1994
Morocco 1/		12 February 1959
Netherlands 1/	10 June 1958	24 April 1964
New Zealand 1/		6 January 1983
Niger		14 October 1964
Nigeria 1/ 2/		17 March 1970
Norway 1/ 5/		14 March 1961
Pakistan	30 December 1958	
Panama		10 October 1984
Peru		7 July 1988
Philippines 1/ 2/	10 June 1958	6 July 1967
Poland 1/ 2/	10 June 1958	3 October 1961
Portugal 1/		18 October 1994
Republic of Korea 1/ 2/		8 February 1973
Romania 1/ 2/ 3/		13 September 1961
Russian Federation c/ 1/ 3/	29 December 1958	24 August 1960
San Marino		17 May 1979
Saudi Arabia		19 April 1994
Senegal		17 October 1994
Singapore 1/		21 August 1986

State	Signature	Ratification Accession Succession (*)
Slovak Republic a/		28 May 1993 *
Slovenia 1/ 2/ 6/		25 June 1991 *
South Africa		3 May 1976
Spain		12 May 1977
Sri Lanka	30 December 1958	9 April 1962
Sweden	23 December 1958	28 January 1972
Switzerland 1/ 8/	29 December 1958	1 June 1965
Syrian Arab Republic		9 March 1959
Thailand		21 December 1959
The former Yugoslav Republic of Macedonia 1/ 2/ 6/		10 March 1994 *
Trinidad and Tobago 1/ 2/		14 February 1966
Tunisia 1/ 2/		17 July 1967
Turkey 1/ 2/		2 July 1992
Uganda 1/		12 February 1992
Ukraine 1/ 3/	29 December 1958	10 October 1960
United Kingdom 1/		24 September 1975
United Republic of Tanzania 1/		13 October 1964
United States of America 1/ 2/		30 September 1970
Uruguay		30 March 1983
Yugoslavia 1/ 2/ 6/		26 February 1982
Venezuela 1/ 2/		8 February 1995
Zimbabwe		29 September 1994

Signatures only: 2; ratifications, accessions and successions: 105

a/ The Convention was signed by the former Czechoslovakia on 3 October 1958 and an instrument of ratification was deposited on 10 July 1959. 1/ 3/ On 28 May 1993, the Slovak Republic, and on 30 September 1993, the Czech Republic, deposited instruments of succession.

b/ The Convention was acceded to by the former German Democratic Republic on 20 February 1975 with reservations referred to in notes 1/, 2/ and 3/ below.

c/ The Russian Federation continues, as from 24 December 1991, the membership of the former Union of Soviet Socialist Republics (USSR) in the United Nations and maintains, as from that date, full responsibility for all the rights and obligations of the USSR under the Charter of the United Nations and multilateral treaties deposited with the Secretary-General.

Declarations and reservations
(Excludes territorial declarations and certain other reservations and declarations of a political nature)

1/ State will apply the Convention only to recognition and enforcement of awards made in the territory of another Contracting State.

2/ State will apply the Convention only to differences arising out of legal relationships whether contractual or not which are considered as commercial under the national law.

3/ With regard to awards made in the territory of non-contracting States, State will apply the Convention only to the extent to which these States grant reciprocal treatment.

4/ The Government of Canada has declared that Canada would apply the Convention only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under the laws of Canada, except in the case of the Province of Quebec where the law does not provide for such limitation.

5/ State will not apply the Convention to differences where the subject matter of the proceedings is immovable property situated in the State, or a right in or to such property.

6/ State will apply the Convention only to those arbitral awards which were adopted after the coming of the Convention into effect.

7/ The present Convention should be construed in accordance with the principles and rules of the National Constitution in force or with those resulting from reforms mandated by the Constitution.

8/ On 23 April 1993, the Government of Switzerland notified the Secretary-General its decision to withdraw the declaration it had made upon ratification.